

AMENDED IN ASSEMBLY APRIL 28, 1999

AMENDED IN ASSEMBLY APRIL 13, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 181**

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**Introduced by Assembly Member Zettel**

January 19, 1999

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An act to add and repeal Section 1596.7927 of the Health and Safety Code, relating to care facilities.

### LEGISLATIVE COUNSEL'S DIGEST

AB 181, as amended, Zettel. Child day care: public recreation program.

Existing law, the California Child Day Care Facilities Act, provides for the licensure and regulation of child day care facilities. Existing law exempts from the act certain public recreation programs, including a program operated only during hours other than normal school hours for grades K-12, inclusive, in the public school district where the program is located, or operated only during periods when students in grades K-12, inclusive, are normally not in session in the public school district where the program is located, for under 16 hours per week.

This bill would establish, upon the approval of the City Council of San Diego, a 2-year pilot project known as the “6 to 6” program in San Diego County. The pilot project would consist of an extended school day program, meeting specified conditions, operated by an individual, organization, or other

entity pursuant to a contract with a public school district or the City of San Diego. The bill would repeal these provisions as of January 1, 2002.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1596.7927 is added to the Health  
2 and Safety Code, to read:

3 1596.7927. (a) There is hereby established a two-year  
4 pilot project in San Diego County, upon the adoption of  
5 a resolution to that effect by the City Council of San  
6 Diego. The program established for purposes of the pilot  
7 project authorized by this section shall be known as the  
8 “6 to 6” program.

9 (b) The “6 to 6” program shall consist of an extended  
10 schoolday program that is operated by an individual,  
11 organization, or other entity pursuant to a contract with  
12 a public school district or city. The “6 to 6” program shall  
13 meet all of the following conditions:

14 (1) The program shall be operated on a schoolsite that  
15 is in current use by the public school or school district that  
16 has collaborated with the City of San Diego for the  
17 purpose of providing an extended schoolday program.

18 (2) The city shall ensure that employees of the  
19 operator of the “6 to 6” program have had a criminal  
20 background check performed by the Department of  
21 Justice *and a child abuse index clearance*, and that the  
22 results of the criminal background check *and child abuse*  
23 *index* have been returned to the city ~~or school district~~.  
24 *where they shall be kept on file for purposes of*  
25 *notification of future convictions of employees previously*  
26 *cleared.*

27 (3) Any individuals employed as site supervisors shall  
28 meet the center director qualifications specified in  
29 Section 101515 of Title 22 of the California Code of  
30 Regulations.

31 (4) All individuals employed by the “6 to 6” program  
32 to serve as program aides shall be over the age of 18 years.

(5) The contract with the city or school district shall include, but not be limited to, all of the following:

(A) A requirement that site directors meet the requirements for site directors of schoolage day care centers set forth in Section 1597.21.

(B) A requirement that the contractor require a child-to-staff ratio that is comparable to the pupil-to-staff ratio set forth in Section 8483.4 of the Education Code.

(C) A requirement that the contractor comply with sign-in and sign-out regulations otherwise applicable by regulation to extended schoolday programs pursuant to Section ~~101329.1~~ 101529.1 of Title 22 of the California Code of Regulations.

(D) A provision guaranteeing the timely investigation of complaints and providing for the immediate administrative leave of contracted employees pending the outcome of the investigation in cases relating to allegations involving a substantial threat to the health and safety of the children under the contractors care.

(6) All classrooms or portable classrooms utilized by the “6 to 6” program providing extended day care shall ~~comply with the Field Act, as described in Section 17281 of the Education Code.~~ *meet all standards applicable for use during the regular school day.*

(c) In addition to the exemptions set forth in Section 1596.792, this chapter shall not apply to the “6 to 6” program if the contracting city ensures the program is operated in compliance with the requirements of this section.

*(d) Upon the completion of the pilot project, the department shall evaluate the health and safety of the participants in the “6 to 6” program, with a particular focus on children ages five to eight years, inclusive, and inform the appropriate committees of the Legislature as to whether the health and safety of the participants was any different than would be expected of a similar program that is licensed. The city shall maintain any records the department deems to be necessary in order to make this evaluation.*

1     (*e*) This section shall remain in effect only until  
2     January 1, 2002, and as of that date is repealed, unless a  
3     later enacted statute, that is enacted before January 1,  
4     2002, deletes or extends that date.

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